

COUNCIL OF THE CITY OF ABERDEEN
Ordinance No. 15-O-01

Introduced By:	Mayor Michael E. Bennett
Date Introduced:	February 23, 2015
Public Hearing:	March 23, 2015
Deferred on:	March 23, 2015 to April 27, 2015
Date Adopted:	April 27, 2015
Date Effective:	May 18, 2015

ORDINANCE NO. 15-O-01

AN ORDINANCE concerning

**REVISION OF CITY OF ABERDEEN DEVELOPMENT CODE
INTEGRATED BUSINESS DISTRICT**

1 **FOR** the purpose of revising the City of Aberdeen Development Code to provide for revisions to
2 the Integrated Business District (IBD) and revising the Table of Use Regulations for this district.

3
4 **BY** repealing and reenacting, with amendments,
5 Chapter 235, Development Code
6 Sections 235-18 M. (1) – (11) and 235-21,
7 Code of the City of Aberdeen (2010 Edition as amended)
8

9 **BY** repealing and reenacting, with amendments,
10 Chapter 235, Development Code
11 Appendix A, Table of Use Regulations
12 Code of the City of Aberdeen (2010 Edition as amended)

EXPLANATION:

Bold Italics indicate matter added to existing law or new law.
((Double Parenthesis)) indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike-Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.
* * * indicates existing unmodified text omitted from Ordinance

SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN, that Sections 235-18 M. and 235-21, Code of the City of Aberdeen (2010 Edition as amended), Chapter 235, Development Code, are repealed and reenacted, with amendments, to read as follows:

Chapter 235, DEVELOPMENT CODE

§ 235-18. M. Integrated Business District.

(1) The purpose of the Integrated Business District (IBD) is to provide residential, recreational, educational, retail, entertainment, and other commercial uses in an aesthetically pleasing and functionally compatible manner, to complement existing residential areas, to blend development with the environmental characteristics of the land, and to facilitate the efficient delivery and use of public services. The object is to use site plan and architectural guidelines to promote land use flexibility and design creativity, to create comfortable and harmonious development that appeals to people living, working, shopping, and socializing within the IBD. The IBD will seek to maintain a common theme and character through the use of specific zoning regulations, design requirements, and architectural review procedures established to encourage flexibility in land planning and generally to align the design, character, and quality of mixed uses. The IBD area west of the I-95 interchange will encourage mixed-use development consistent with the degree and intensity of Ripken Stadium and University Center architectural and design standards known already to attract social interchange through commercial, educational, entertainment, and recreational activity.

(2) IBD site development requirements. All permitted uses within the IBD shall be subject to the following site development requirements:

- a. Site plan review will be in accordance with the Aberdeen Development Code and Subdivision Regulations, the Aberdeen Overlay District Regulations and Design Requirements, and the overall development goals of the IBD.*
- b. Sidewalks shall be provided as an integral component of the development's articulation, design, and landscaping.*
- c. Development within the IBD shall include pedestrian and vehicular connections to public roads serving existing or planned public transit, adjacent communities, and other off-site destinations.*

(3) Building setbacks, unless otherwise noted refer to Section 235-21.

- a. Major arterial road rights-of-way, such as Churchville Road (MD 22) shall have a minimum building setback of 25 feet and shall have a landscaped area included in the setback area.*

- b. Collector roads, such as Technology Drive and Long Drive shall have a minimum building setback of 25 feet and shall have a landscaped area included in the setback area.*
- c. Local roads, such as Gilbert Road shall have a minimum building setback of 25 feet and shall have a landscaped area included in the setback area.*
- d. A minimum twenty-foot landscaped area in addition to the building setback for the district shall be required for any commercial use adjacent to an existing residential use. Buildings cannot be located in the required landscaped area.*
- e. All residential development shall be in accordance with the R-2 residential requirements for dwelling, detached, single-family.*

(4) Height. The maximum height of any building shall be as follows:

- a. For properties fronting on MD 22, the maximum height shall be forty (40) feet.*
- b. For all other properties located within the IBD, the maximum height shall be eighty (80) feet.*
- c. Residential dwellings located in the IBD shall not exceed a height of forty (40) feet.*
- d. Accessory use structures shall not exceed a height of twenty (20) feet.*

(5) Permitted drive-through lanes for any building in the IBD shall be located at the side or rear of the building. Access and stacking lanes serving the drive-through shall be located at the side or rear of the building.

(6) Landscaping. The district shall include landscaping to enhance the streetscape, to form public spaces, to improve the quality of the natural environment, and to break up the impervious surface of parking lots. A minimum of 10% landscaping shall be required for all commercial and institutional uses. (See the Aberdeen Overlay District Regulations and Design Requirements for the IBD.)

(7) Any side of a building facing a public way or a public space shall be finished with the same type of materials as the front façade of the building.

(8) Truck parking and loading spaces shall not be visible from MD 22 and Long Drive.

(9) Screening for dumpster enclosures and pads may be visible from MD 22 and Long Drive.

(10) Open space may be designed for active recreation, passive recreation, pathways (other than sidewalks), conservation areas, and/or natural buffers.

(11) *Permitted uses in the IBD are provided in Appendix A – Table of Use Regulations.*

(12) *Freestanding artistic elements shall be permitted in the IBD and the Architectural Review Committee shall have final design approval prior to building permit approval. The height of any artistic element shall not exceed 25 feet.*

(13) *The applicant shall prepare a preliminary site plan in accordance with the site development requirements in this section and/or the requirements of the Aberdeen Development Code, Subdivision Regulations, and the Aberdeen Overlay District Regulations and Design Requirements for review first by the Department of Planning and Community Development staff and the Architectural Review Committee prior to review and recommendation by the Planning Commission.*

(14) *The Planning Commission shall hold a review of the preliminary site plan along with the Department of Planning and Community Development staff and Architectural Review Committee recommendations and make recommendations to the Mayor and City Council on the preliminary site plan upon finding that the preliminary site plan accomplishes the purposes, minimum standards, and requirements of the IBD.*

§ 235-21. Lot area, width, and yard requirements.

Table II: Lot Area, Lot Width, and Yard Requirements for Commercial, Industrial, and the Integrated Business District:

<i>Uses</i>	<i>Lot Area (sq. ft.)</i>	<i>Lot Width (ft.)</i>	<i>Front Yard Depth (ft.)</i>	<i>Rear Yard Depth (ft.)</i>	<i>Side Yards (ft.)</i>
IBD	N/A	N/A	25	25	10

Section 2. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN that Appendix A, Table of Use Regulations, referred to in Section 235-19, of Chapter 235, Development Code, is repealed and reenacted, with amendments, to read as follows:

Appendix A Table of Use Regulations

- 1
2
3
4 **Key to Table:**
5 P Permitted use
6 SE Use subject to special exception from the Board of Appeals
7 — Not permitted
8 MU Mixed use
9 *2nd Floor – Permitted on 2nd Floor and above*
10 *T-5 - Only permitted in TOD-C*

Use	Zoning District											TOD
	R-1	R-2	R-3	B-1	B-2	B-3	M-1	M-2	OR E	A G	IBD	
Residential												
Age-restricted housing	SE	SE	P	P	P	—	—	—	—	SE	P	P
Apartment accessory to commercial use	—	—	—	P	P	P	—	—	—	—	—	P
Apartment accessory to primary residence	SE	P	P	—	—	—	—	—	—	—	—	P
Apartment, multifamily	—	—	P	P	P	—	—	—	—	—	----	P
Assisted living facility	—	SE	P	P	P	—	—	—	—	—	----	P
Continuing care facility	—	—	P	P	P	—	—	—	—	P	----	SE
Day care (family)	P	P	P	P	P	—	—	—	—	P	P	P
Dwelling, accessory apartment	—	P	P	P	P	—	—	—	—	—	—	P
Dwelling, detached, single family	P	P	P	P	P	—	—	—	—	P	P	—
Dwelling, garden apartment	—	—	P	P	P	—	—	—	—	—	----	P
Dwelling, mid-rise apartment	—	—	P	P	P	—	—	—	—	—	----	P
Dwelling, modular	P	P	P	P	P	—	—	—	—	P	P	—
Dwelling, conversion of SFH to 2-family	—	P	P	SE	SE	—	—	—	—	SE	—	—
Dwelling, multifamily, conversion SFH to multifamily	—	—	P	—	—	—	—	—	—	—	—	—
Dwelling, quad	—	—	P	P	P	—	—	—	—	—	—	—
Dwelling, semidetached	—	P	P	P	P	—	—	—	—	—	—	—
Dwelling, temporary emergency	P	P	P	P	P	—	—	—	—	P	—	—
Dwelling, townhouse	—	—	P	—	—	—	—	—	—	—	—	P
Dwelling, two-family	—	P	P	—	—	—	—	—	—	—	—	—
Halfway house	—	—	SE	SE	SE	—	—	—	—	—	—	—
Life care facility	—	—	SE	SE	SE	—	—	—	—	SE	----	—

Use	Zoning District											TOD
	R-1	R-2	R-3	B-1	B-2	B-3	M-1	M-2	OR E	A G	IBD	
Mobile home park	—	—	SE	—	—	—	—	—	—	—	—	—
Personal care home	—	—	P	P	P	—	—	—	—	SE	—	—
Commercial												
Adult bookstore or adult entertainment center	—	—	—	—	—	—	—	—	—	—	—	—
Agricultural machinery, sales and service	—	—	—	—	—	P	P	—	—	P	—	—
Agriculture	—	—	—	—	—	—	—	—	—	P	—	—
Athletic facilities or clubs (indoor)	—	—	—	P	P	P	P	SE	SE	SE	P	P
Auction house	—	—	—	—	—	SE	P	—	—	—	—	—
Automobile or boat sales/rental	—	—	—	—	—	P	—	—	—	—	—	P
Automobile car wash	—	—	—	—	—	P	—	—	—	—	—	—
Automobile repair shop	—	—	—	—	P	P	P	SE	—	—	—	—
Banks with or without drive through facilities	—	—	—	P	P	P	P	P	SE	—	P	P
Banquet facility	—	—	—	—	—	P	—	—	P	—	P	P
Body piercing service	—	—	—	—	—	—	—	—	—	—	—	—
Business service	—	—	—	P	P	P	P	P	P	SE	P	P
Bus station, train station, taxi depot, transit center	—	—	—	P	P	P	P	P	—	SE	—	P
Cemetery	—	—	—	SE	SE	SE	—	—	—	SE	—	—
Coliseums, stadiums and accessory dormitory	—	—	—	—	—	P	P	—	P	SE	P	—
Commercial amusement, entertainment, recreation facilities, and sports camps	—	—	—	—	SE	P	P	—	P	P	P	P
Communication tower or monopole	—	—	—	—	—	SE	SE	SE	SE	SE	SE	SE
Conference center	—	—	—	—	—	P	—	—	P	—	P	P
Construction services and supplies	—	—	—	—	—	P	P	P	—	—	—	—
Convenience retail establishment with accessory fuel pumps	—	—	—	—	P	P	P	SE	—	—	P	P
Day-care center (group)	—	—	—	P	P	P	P	P	P	P	P	P
Day Spa	—	—	—	—	P	P	—	—	—	—	P	P
Fortune-telling	—	—	—	—	—	SE	—	—	—	—	—	—
Fuel storage facility	—	—	—	—	—	—	—	SE	—	—	—	—
Funeral home	—	—	—	—	P	P	—	—	—	—	—	T-5

[illegible]

Use	Zoning District											TOD
	R-1	R-2	R-3	B-1	B-2	B-3	M-1	M-2	OR E	A G	IBD	
Apparel and other textile products manufacturing	—	—	—	—	—	—	—	P	—	—	—	—
Asphalt and concrete batching plant	—	—	—	—	—	—	—	—	—	—	—	—
Biological products manufacturing	—	—	—	—	—	—	—	P	SE	—	—	—
Compost facility	—	—	—	—	—	—	SE	—	—	—	—	—
Electrical and electronic equipment	—	—	—	—	—	—	P	P	P	—	—	—
Food products manufacturing	—	—	—	—	—	—	P	P	P	—	—	—
Furniture and fixtures manufacturing	—	—	—	—	—	—	P	P	—	—	—	—
Instruments and related products manufacturing	—	—	—	—	—	—	P	P	P	—	—	—
Leather and leather products manufacturing	—	—	—	—	—	—	—	—	—	—	—	—
Lumber, wood and paper products manufacturing and sawmill	—	—	—	—	—	—	—	—	—	—	—	—
Machinery manufacturing	—	—	—	—	—	—	—	P	—	—	—	—
Medicinal, chemicals and botanicals manufacturing	—	—	—	—	—	—	SE	SE	P	—	—	—
Office machine manufacturing	—	—	—	—	—	—	P	P	P	—	—	—
Petroleum and coal products manufacturing	—	—	—	—	—	—	—	—	—	—	—	—
Pharmaceutical preparation manufacturing	—	—	—	—	—	—	P	P	P	—	—	—
Printing and publishing	—	—	—	—	—	P	P	P	P	—	—	—
Recycling facility	—	—	—	—	—	—	SE	SE	—	—	—	—
Sanitary landfill	—	—	—	—	—	—	—	—	—	—	—	—
Stone, clay and glass products manufacturing	—	—	—	—	—	—	—	—	—	—	—	—
Textile mill	—	—	—	—	—	—	—	—	—	—	—	—
Transportation equipment manufacturing	—	—	—	—	—	—	—	SE	—	—	—	—
Institutional												
Art galleries	—	—	—	P	P	P	—	—	P	—	P	P
Auditorium/lecture halls/convention centers	—	—	—	—	—	P	P	P	P	—	P	P
Churches, synagogues,	P	P	P	P	—	P	—	—	—	P	—	2 nd

Use	Zoning District											TOD
	R-1	R-2	R-3	B-1	B-2	B-3	M-1	M-2	OR E	A G	IBD	
temples and affiliated house of worship, including associated nursery schools												Floor
Community center	—	—	P	P	P	P	—	—	—	—	<i>P</i>	P
Fraternal clubs	—	—	—	SE	P	P	P	P	—	—	—	P
Generating or treatment plants, pumping or regulator stations, substations, and transmission lines utilizing multi-legged structures	—	—	—	—	—	—	P	P	P	P	—	—
Hospital	—	—	—	—	—	P	P	—	—	—	—	P
Library	—	—	—	P	P	P	—	—	P	P	<i>P</i>	P
Museum	—	—	—	P	P	P	—	—	P	P	<i>P</i>	P
Public or governmental buildings	SE	SE	SE	SE	P	P	P	P	P	—	<i>SE</i>	P
Public utilities	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>
Schools, colleges and universities	P	P	P	P	—	P	—	—	P	P	<i>P</i>	P
Social clubs	—	—	—	—	P	P	P	—	—	—	—	P
Trade and vocational schools	—	—	—	—	—	P	SE	SE	P	P	<i>P</i>	P

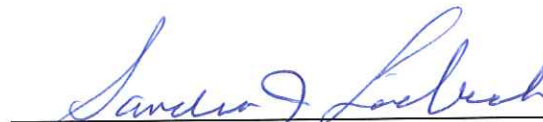
1 **SECTION 3. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY**
2 **OF ABERDEEN**, that if any Section or provision of this Ordinance, or its application to any
3 particular circumstance, is declared by any court to be unconstitutional or invalid, such decision
4 shall not affect the validity of this Ordinance as a whole, or any part thereof other than the part so
5 declared unconstitutional or invalid.

6
7 **SECTION 4. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY**
8 **OF ABERDEEN**, that this Ordinance shall become effective at the expiration of twenty (20)
9 calendar days following adoption.

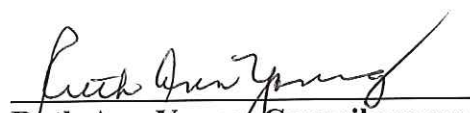
COUNCIL OF THE CITY OF ABERDEEN


Michael E. Bennett, Mayor


Ruth E. Elliott, Councilwoman


Sandra J. Landbeck, Councilwoman


Stephen A. Smith, Councilman


Ruth Ann Young, Councilwoman

ATTEST:

SEAL:


Monica A. Correll, City Clerk

Date April 27, 2015

